

R E M A R K S

Claims 1 to 4 and 7 to 18 are pending in this case. Claim 1 was amended and claims 5 and 6 were cancelled. Support for the amendment to claim 1 may be found in cancelled claim 6.

The rejection of claims 1 to 10 and 14 to 18 as being obvious to U.S. Patent Application No. 2002/0111263 to Stamires (Stamires 2002) is respectfully traversed. To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. Applicants respectfully submit that a proper prima facie case has not been made since not all of the claim elements have been disclosed or taught by Stamires 2002. Specifically, Stamires 2002 does not disclose or teach that the pH of the aluminum source mixture being decreased by 2 units, then increased by 2 units such that the pH of the mixture is at least 10. Since all claim elements have not been taught or disclosed, the rejection should be withdrawn.

The rejection of claims 1 to 18 as being anticipated under 35 U.S.C. 102(e) or alternatively obvious under 35 U.S.C. 103(a) to U.S. Patent Application No. 2006/0096891 by Stamires (Stamires 2006) is rendered moot by the amendment to claim 1. The only citation of decreasing and then increasing pH in Stamires 2006 is in Example 107, where the pH of the mixture is decreased to 2-3, then raised to about 5. Since there is no disclosure that the pH of a aluminum source mixture be raised above 10, the anticipation rejection is now moot.

Likewise, the 103(a) rejection is also moot because Stamires 2006 does not support a proper prima facie case of obviousness since it does not suggest or teach that the pH should be at least 10 when the pH is raised in step c. Since all the claim elements have not been taught or disclosed, the rejection should be withdrawn.

A two-month extension of time fee is believed due for this response. If any other fee is due, please charge the appropriate fee amount to Albemarle Deposit Account No. 01-0659. Should a discussion be helpful in resolving any outstanding issues, the Examiner is invited to telephone the undersigned at (225) 388-7235.

Respectfully submitted:

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